

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Consolidated W/72-C-376 &

72-C-110

Jury demand date: 8/23/72 by pltf.

72-C-439

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>BECKY D. GRIMSHAW</p> <p>vs.</p> <p>HEIDLER CORPORATION; CAROUSEL INVESTMENT CORPORATION, JAMES W. HEIDLER, JERALD M. SCHUMAN, JACQUE BOGGESS, JOSEPH C. CALDWELL, JR., HARRY GREEN, PAUL V. HARTMAN, RICHARD F. HUDSON, TAYLOR V. HUNTER, J. DONALD WALKER, LARKIN BAILEY, JOHN DOE and RICHARD ROE,</p> <p>• Fred S. Nelson (Walker) 805 NBT Bldg. • Jerry Dickman (Walker) Tulsa 74103 NBT Bldg., Tulsa 74103</p> <p>• James Sturdivant (Heidler) (Franden, Trustee) 2010 Fourth Natl. Bldg. Tulsa, Okla. 74119</p> <p>• David W. Jackson (Schuman) Rucker, Tabor, McBridge & Rhodes, Hieronymus, and Hopkins et al Rucker Bldg. Fourth Ntl. Bldg., 74119 Tulsa, Okla. 74119</p>	<p>For plaintiff:</p> <p>Harry M. Crowe, Jr. Crowe & Thieman 11-3 Southland Financial Center 4111 South Darlington Tulsa, Oklahoma 74135</p> <p>• Frederic Dorwart 584-1472 2700 4th Nat'l Bk. Bldg. 10 E 3rd St Tulsa, Ok 74119 74103</p> <p>FOR DEFT.: Joel Wohlegemuth Robert S. Rizley / (Jms W Heidler & 1100 Philtower Bldg. Jacque Boggess Tulsa, OK 74103</p> <p>For defendant:</p> <p>• G. Michael Lewis (Green, Hudson & Hunter) Doerner, Stuart, Saunders, Daniel & Langenkamp 1200 Atlas Life Bldg., Tulsa 74103</p> <p>• Irvine E. Ungerman Hawley Kerr Wright Bldg. (Schuman, Hartman & Tulsa, Okla 74103 (584-6101) Bailey)</p> <p>• B. Hayden Crawford (Heidler & Boggess) 1414 First Natl. Bldg. Tulsa, Okla. 74103</p> <p>• James C. Lang (Caldwell) 411 Thurston National Building Tulsa, Okla. 74103</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 9-1-72	Clerk	8/23	H. Crowe	15.00	15 00
J.S. 6 mailed 9-1-75	Marshal	8/24	CD 9		
Basis of Action: violation of SEC rules - money judgment	Docket fee				
Action arose at:	Witness fees				
	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-23-72	Complaint, filed. rm Summons issued.	
8-23-72	Request for Jury Trial by pltf., filed. rm	
9-7-72	Secretary of State's Return on summons, filed. Rec. by Sec. of State on 9-1-72, sent to Heidler Corp. on 9-6-72; check for \$3.00 received.v	
9-12-72	Application of defts. Harry Green, et al for enlargement of time to answer, filed. hm - <i>Ode g</i>	
9-14-72	Appl. of Deft.s Jms. W. Heidler and Jacque Boggess for enlargement of time to answer, filed. v	
9-14-72	Order granting extension of time within which Deft.s May plead or answer, for a period of fifteen days from & after 9-15-72, filed. (JCS-Acting Clk)v	
9-15-72	Defts' Shuman, Hartman & Bailey's Appl for an order for ext of time within which to plead or answer, filed. r	<i>copies on mail</i>
9-15-72	Order authorizing ext of time within which defts. Schuman, Hartman & Bailey may plead or answer to complaint of Pltf, until 9-30-72, filed. (JCS-Clerk bybr) r (copies mailed)	
9-14-72	12 Returns on U.S. Marshals Services, Summons, filed. 1 Served Heidler Corp. by serving Sec. of State of Okla., on 9-1-72, with fees of \$3.72. 2 Served Carousel Investment Corp. by serving Evelyn Miner, Reg. Agent in Tulsa, Okla., on 9-7-72, with fees of \$3.48. 3 Served James W. Heidler, in Tulsa, Okla., on 9-1-72, with fees of \$6.60. 4 Served Jerald Schuman, in Tulsa, Okla., on 9-1-72, with fees of \$3.00. 5 Served Jacque Boggess, in Tulsa, Oklahoma, on 9-5-72, with fees of \$4.68. 6 Served Joseph C. Caldwell, Jr., in Tulsa, Okla., on 9-13-72, with fees of \$5.64. 7 Served Harry Green in Tulsa, Okla., by serving Mr. Howell, Pres., on 9-1-72, with fees of \$3.00. 8 Served Paul V. Hartman, in Tulsa, Okla., by serving Anna Hartman, on 9-1-72, with fees of \$3.00. 9 Served Richard F. Hudson in Tulsa, Okla., on 9-1-72, with fees of \$3.00. 10 Served Taylor V. Hunter, in Tulsa, Okla., on 9-1-72, with fees of \$3.00 - by serving Katherine Holmes, Sec. 11 Served J. Donald Walker in Tulsa, Okla., on 9-1-72, with fees of \$3.00. 12 Served Larkin Bailey, in Tulsa, Okla., on 9-1-72, with fees of \$3.00.v	
9-20-72	Order filed that defendants Taylor Hunter, Richard F. Hudson, Ferd Howell and Harry Green are granted 30 additional days until Oct. 15, 1972 to answer Interrogatories and respond to the request for admission of the Plaintiff. (AEB-J)h	
9-21-72	Application of J. Donald Walker for extension of time to answer, filed.g	
9-21-72	Order extending time to 10-5-72 for J. Donald Walker to answer. (Clerk)g	
9-29-72	Appl. of def. Caldwell for ext. of time to ans., filed. rm	
9-29-72	Order allowing def. Caldwell to 10/18/72 to ans. (JCS-Act.Clk) rm	
9-29-72	ANSWER of defts Jerald Schuman, Paul Hartman, and Larkin Bailey, filed. r	
10-2-72	Appl. of defts. Heidler & Boggess for ext. of time to plead, filed.rm	<i>Order to J.</i>
10-3-72	Cert. of mailing of ans. of defts. Schuman, Hartman & Bailey, filed. rm Continued -	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-4-72	Order granting extension of time within which defendants may plead or answer, filed. (AEB-J) ds <i>order mailed</i>	
10-5-72	Appl. of Dft. J. Donald Walker for extension of time, filed. v -order to J.	
10-12-72	Order allowing J. Donald Walker Extension of time to add including 11-3-72 to plead or answer to Plaintiff's Complaint, filed. (AEB-J)v <i>copies mailed</i>	
10-13-72	Answers to Plaintiffs' Interrogatories to the defendant Quik-Trip Corp. filed. h	
10-13-72	App lication of defendants, Harry Green, Richard F. Hudson, and Taylor V. Hunter for enlargement of time to answer filed. h <i>Order to mail</i>	
10-18-72	Application of deft. Joseph C. Caldwell, Jr. for ext. of time to plead or answer, filed. g <i>order to mail</i>	
10-26-72	Order allowing Joseph C. Caldwell, Jr., extension of time to 11-18-72 to plead or answer filed. (AEB-J)h <i>copies mailed</i>	
10-26-72	Order allowing def. Taylor V. Hunter, eta l until Nov. 18, 1972 to answer filed. (AEB-J)h	
11-17-72	Substitution of Atty.s of Record for Deft., Jerald M. Schuman, filed. Substituting in, the firm of Rucker, Tabor, McBride & Hopkins. v	
11-20-72	Answer of def. Caldwell, filed. rm (and Cross-claim against def. Heidler Corp., filed.)	
11-21-72	Separate ANSWER of defts Harry Green, Richard F. Hudson & Taylor Hunter, filed. r	
1-9-73	Answer of deft J. Donald Walker, filed. js	
1-11-73	Answer of Jacque Boggess, filed. hm	
1-11-73	Answer of James W. Heidler, filed. hm	
1-24-73	Notice of Taking Deposition of James W. Heidler on 1-29-73, in Tulsa, Okla., by the Deft., Jerald M. Schuman. v	
6-15-73	Deft. Schuman's Notice of Taking Deposition, filed. jj	
6-25-73	Application for Continuance of the Taking of the Dep. of Doris Somers, Leslie W. McCown, John E. Newkirk and Ethel Mae Newkirk, filed. jj	
6-26-73	Order, filed, continuing the taking of the depositions of Doris Somers, Leslie W. McCown, M John E. Newkirk and Ethel Mae Newkirk. v	
7-16-73	Appearance of DavidW. Jackson and Rhodes, Hieronymus, Holloway and Wilson, for Jerald M. Schuman, filed. v <i>copy to be in for 72-C-299</i>	
7-26-73	Case set for disposition 7-31-73 at 10:00 A.M. (AEB-J)jj	
7-31-73	Case called for disposition and stricken. (AEB-J)h	
8-1-73	Appl. for permission to plead or answer out of time, filed by Robert A. Franden, Trustee for Heidler Corp. v -order to Judge.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-2-73	Order, filed, extending time for Heidler Corp. to Ans. until 9-2-73 (AEB-J)jj copy mailed to Sturdivant * <i>Clement</i>	
8-22-73	Separate ANSWER of Robert A. Franden, Trustee in Bankruptcy for Heidler Corp., filed. r (with crossclaim against co-defts)	
8- 9-5-73	Ans. of Joseph C. Caldwell, Jr., to Cross-Claim of Heidler Corp., filed. jj	
9-6-73	Answer of Deft. J. Donald Walker to Cross-Claim of Rbt. A. Franden, Trustee in BKY. for Heidler Corp., filed. v	
9-11-73	Answer of Defts., Hudson, Green and Hunter to Cross-Claim of Heidler Corporation, filed. jj	
9-20-73	Answer of Deft.s Jms. W. Heidler & Jacque Boggess to Cross-Claim of Rbt. A. Franden, Trustee in BKY. for Heidler Corp., filed. v	
10-11-73	Answer of deft. Jerald M. Schuman, to cross-claim of Heidler Corp., filed. hm	
3-1-74	MO: Parties are directed to hold PT conference prior to April 5, 1974, and file PT order not later than April 12, 1974. (AEB-J)v	
3-11-74	Plaintiff's interrogatories, filed. ds	
3-11-74	Plaintiff's request for admissions, filed. ds	
4-4-74	Application for permission to file answer out of time, filed. ds	
4-5-74	ANSWER of Joseph C. Caldwell, Jr. to Interrogatories of Pltf., filed. jj	
4-5-74	ANSWER of Joseph C. Caldwell, Jr. to Request for Admissions by Pltf., filed. jj	
4-5-74	Deft's / Motion for Extension of Time Within Which To Prepare Pre-Trial Order, filed. e (o to j)	
4-8-74	Mot. of Defts. Green, Hudson & Hunter for ext. of time to answer Interrogs. and request for admissions, filed. g <i>copy</i>	
4-9-74	Appl. of Defts Paul V. Hartman and Larkin Bailey, for an Extension of Time Within Which To Respond to and Answer Pltf's Interrogatories and Request for Admissions, filed. e (o to j)	
4-10-74	ANS. of Defts. Hartman & Bailey to Cross-Claim of Heidler Corp., with LEAVE of Court to file pleading out of time, filed. (AEB-J)v	
4-10-74	ORDER, filed, that Harry Green, Richard Hudson & Taylor Hunter, Defts., are granted an additional 30 days to ans. interrog.s and respond to Pltf.'s Request for Admissions. (AEB-J)v (-until 5-10-74)	
4-10-74	Order, filed, granting Defts. 60 days to complete discovery & prepare pretrial order. Time to run through 6-5-74. To be No further extensions. (AEB-J)v	
4-10-74	Order, filed, allowing additional time to ans. interrogatories & request for admissions, until 4-25-74. (AEB-J)v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-10-74	Appl. of the Deft. J. Donald Walker, for an ext. of time to respond to & ans. Pltf.'s interrogatories & request for admissions, filed. v	(o)
4-11-74	Answer of def. Jim Heidler, to req. for admissions by pltf., filed. rm	
4-12-74	Plaintiff's proposed pre-trial order, filed. g	
4-15-74	ANSWER of Jacque Boggess to Request for Admissions by Pltf., filed. e	
4-19-74	ANSWER of def. Paul V. Hartman to Request for Admisssions by pltf., filed. e	
4-19-74	ANSWER of def. Paul V. Hartman to Interrogatories of Pltf., filed. e	
4-25-74	ORDER granting def. J. Donald Walker until 4-25-74 to answer pltf's interrogs. & req. for adms., filed. (AEB-J)g <i>see to change</i>	
4-25-74	Answer of def. Bailey to req. for adm. by pltf., filed. rm	
4-25-74	Answer of def. Bailey to interrog. of pltf., filed. rm	
5-2-74	Answers of defendant J. Donald Walker to request for admissions by plaintiff, filed. ds	
5-2-74	Answers of defendant J. Donald Walker to interrogatories of plaintiff, filed. ds	
5-14-74	Answer to Pltf's Request for Admissions by Defts. Green, Hudson and Hunter, filed. jj	
5-14-74	Answers to Pltf's Interrogatories by Defts. Green, Hudson and Hunter, filed. jj	
6-13-74	MO: It is ordered that instant litigation is stayed pending decision of Hon. Luther Bohanon on a Mot. for S/Judg. now under advisement in McCown v. Caldwell, 72-C-376. (AEB-J)g	
7-17-74	Order, filed, vacating order of 6-13-74 staying proceedings, effective 7-5-74. (AEB-J)g cpies mailed	
12-6-74	MO: Case set for disposition on 12-10-74 at 10:30 a.m. for failure of defts. to file PT Order (due 6-5-74). (AEB-J)k cps by cert. ml	
12-10-74	Case called for dispostion. Parties represented. Pre-trial set for 12-17-74, at 10:00 A.M. before Judge Barrow's Law Clerk and determine possible consolidation. Stipulation for substitution of atty. for Pltf., Becky D. Grimshaw, filed in open court. (AEB-J)b	
12-10-74	Stipulation for Substitution of Atty. for Pltf., filed. b	
12-17-74	MO: Pursuant to order of the Court, pre-trial conference was had at 10 a.m. on 12/17/74. IT IS ORDERED that the parties submit an agreed pre-trial order within 10 days of this date. NO EXTENSIONS TO BE GRANTED. IT IS FURTHER ORDERED that the parties certify questions of law, briefs in regard thereto, and proposed instructions within 15 days of this date. NO EXTENSIONS TO BE GRANTED. (AEB-J)g	
12-19-74	APPLICATION of defts, Bailey and Hartman, for enlargement of Briefing time, filed. lm <i>atty took copy</i>	

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DATE	PROCEEDINGS	Date Order or Judgment Note
12-19-74	Order, filed, granting enlargement of xxxx briefing time until 1-17-75, in re to all parties submitting certification of questions of law. v -copies mailed.	
1-15-75	Appl. of defs., Bailey, Hartman, Schuman & Caldwell, for ext. of time to submit briefs on issues of law & req. instructions, filed. rm	
1-16-75	Order, filed, granting all parties herein until 2-10-75 to submit respective briefs on issues of law and their respective requested instructions. (AEB-J)g <i>Mailed</i>	
2-10-75	Deft. Caldwell's Submission of Instructions, filed. b	
2-10-75	MO: Ordered by the Court that Defts' Bailey & Hartman are granted 10 days extension to file instructions. (AEB-J)b	
2-10-75	Brief of defs., Bailey and Hartman, on contested issues of law as set forth in pre-trial order, filed. rm	
2-10-75	Plaintiff's Certification of Issues, Brief and Proposed Jury Instructions, filed. v <i>Copy to MC</i>	
2-10-75	Mot. for S/J, filed by Deft. Joseph C. Caldwell.k	
2-10-75	Brief in support of Deft. Caldwell's mot. for S/J, filed.k	
2-10-75	MO: It is ordered by the Court that pltf. is granted 10 days to respond to deft. Caldwell's mot. for S/J. (AEB-J)k cps mld	
2-14-75	Motion of pltf. to strike def. Caldwell's mo/SJ, filed. rm	
2-14-75	Brief of pltf. in support of mo/strike, filed. rm	
2-18-75	MO: It is ordered by the Court that pltf's mot. to strike deft. Caldwell's mot. for S/J is sustained & deft. Caldwell's mot. for S/J is hereby stricken. (AEB-J)k cps mld	
2-21-75	Submission of Proposed Instructions filed by defendant,jj	
3-21-75	Case set for jury trial on 6-2-1975, at 10:00 AM (AEB-J) b nts mld.	
4-21-75	Submission of Proposed Instructions, filed. mm	
5-21-75	MO: Ordered by the Court that case is stricken from jury trial docket of 6-2-75.(AEB-J)b ltrsmld	
5-21-75	Submission by defts. Bailey and Hartman of ADDITIONAL REQUESTED INSTRUCTIONS, filed. lm	
5-21-75	Authorities in Support of ADDITIONAL PROPOSED INSTRUCTIONS, filed. lm	
6-2-75	MO: Upon the disqualification of Chief Judge Allen E. Barrow, this case is hereby transferred to Hon. H. Dale Cook. (AEB-J)g	
6-12-75	MO: Case set for jury trial 8-11-75 at 10:00 a.m. (HDC-J)hm	
7-28-75	Depositions of James Wesley Heidler and Evelyn L. Heidler on behalf of the plaintiffs, taken before Donald R. Lindquist (CSR) on 7-18-75 (\$20.25), filed. lm	
8-1-75	Pltf's mo/compel disc. & memo. brief in support thereof, filed. hm	
8-4-75	MO: Deft. James W. Heidler directed to file resp. brief to mo/compel disc. by 8-5-75. (HDC-J)hm	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-5-75	Letter dated 8-5-75 from Bob Rizley to Judge Cook, filed in response to Motion to compel discussion.mm	
8-5-75	Defts James W. Heidler Motion for Continuance or in the alternative to permit Counsel of record to withdraw, W/brief in support of, filed. mm <i>no MD as R's response</i>	
8-6-75	Plft. Becky D. Grimshaw's Brief in response to brief of James W. Heidler in support of his motion for continuance, filed. mm	
8-6-75	Letter dated 8-6-75 from Frederic Dorwart to Judge Cook, filed, in response to plfts. motion to compel discovery.mm	
8-6-75	Order, filed, that def. Heidler's mo/cont. trial or in alternative permit Rizley to withdraw as counsel of record, is denied.(HDC-J)mm-copies	
8-6-75	Mot. of Defts. J. Caldwell, Jr., Harry Green, et al. for Dismissal, filed. v	
8-6-75	Order, filed and entered, that case is dismissed w/prejudice as to Defts. Joseph C. Caldwell, Jr., Harry Green, Paul V. Hartman, Ferd Howell, Richard F. Hudson, Taylor V. Hunter, Jerald M. Schuman, J. Donald Walker and Larkin Bailey. (HDC-J)v	
8-6-75	Mot. of Defts. Joseph C. Caldwell, Jr., Harry Green, et al., for dismissal w/prejudice of the cross-claims of Heidler Corp. & Carousel Investment Corp., filed. v	
8-6-75	Order, filed and entered, that the cross-claims of Heidler Corp. & Carousel Investment Corp. against Defts. Joseph C. Caldwell, Jr., Harry Green, Paul V. Hartman, Ferd Howell, Richard F. Hudson, Taylor V. Hunter, Jerald M. Schuman, J. Donald Walker and Larkin Bailey be dismissed w/prejudice. (HDC-J)v	
8-8-75	<u>Order overruling Plfts' Motion to Compel Discovery and Consolidating 72-C-299 with 72-C-110 & 72-C-376,</u> filed. (HDC-J) mm cps mld	
8-11-75	<p style="text-align: center;">see 72-C-110</p> Case called for jury trial. Pltf. announces ready. Deft. announces not ready. Mr. Rizley states he does not represent deft. Boggess. Mr. Boggess appears in person, pro se, & parties stipulate to the use of deposition of Boggess in lieu of testimony because of medical condition. Case continued for jury trial until 8-18-75 at 10:00 a.m., and consolidated cases to be tried by Judge Bohanon. (HDC-J)hm	
8-18-75	MO: Case transferred to Judge Bohanon. (HDC-J)g	
8-18-75	Receipt for exhibits signed by Pltf., filed. v	
8-21-75	Judgment, filed & entered; pltf. Becky D. Grimshaw to recover from defts. Heidler Corporation and Carousel Investment Corporation, James W. Heidler and Jacque Boggess, jointly & severally, the sum of \$22,571.96 with int. at 10% from date, and costs; judgment shall not be asserted by anyone other than pltf. by way of res judicata or collateral estoppel. (LB-J)g <i>modified</i>	
3-29	Application for Temp. & Perm. Ord. in aid of Execution & Memo Bf filed.t	
3-30	MO: It is ordered by the CT. that Defts' are granted 10 days from this date to respond to Pltf's Appl. for Tempo & Perm. Order in Aid of Execution.(HDC-J)t cps. mld	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-31-76	Temporary Restraining Order, filed, that Evelyn L. Heidler is enjoined from repudiating her agreement; that pltf. mo/order in aid of execution is set for hrg. at 10 a.m. on 4/9/76 before Judge Cook. (HDC-J)rm - 2 c.c. served on Heidlers atty. by Fred Dorwart	
4-6	Certificate of Service, filed, w/ cpy of Temporary Restraining Order signed by H. Dale Cook, Judge. t	
	<i>all further entries on 72-C-110</i>	
1981		
1-15	RELEASE of judgment filed 8-21-75. pt	